



PATENT APPLICATION

Our File No.: 20030304.0RI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Carter R. Anderson et al : April 26, 2004  
S.N. : 10/763,628 : Art Unit unknown  
Filed : January 23, 2004  
For : ABUSE POTENTIAL REDUCTION IN  
ABUSABLE SUBSTANCE DOSAGE FORM

-----

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56

Applicant(s) herein make available to the Patent and Trademark Office a copy of Form PTO-1449 which lists the following document(s), copies of which are enclosed. This Information Disclosure Statement is being filed in accordance with the following provision(s):

- 37 CFR 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.
- 37 CFR 1.97(b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in the international application. No fee is required.
- 37 CFR 1.97(b)(3) Before the mailing date of a first Office Action on the merits. No fee is required.

[ ] 37 CFR 1.97(c) After the periods specified in 37 CFR 1.97(b), but before the mailing date of either: (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first.

[ ] The undersigned hereby certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

[ ] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; or

[ ] Enclosed is a check in the amount of \$200.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.

[ ] 37 CFR 1.97(d) After the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee.

[ ] Applicant(s) hereby petition the Commissioner of Patents and Trademarks to consider this information disclosure statement. Enclosed is a check in the amount of \$130.00 for the petition fee set forth in § 1.17(i)(1). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.

The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 CFR 1.104(a). It is requested that the documents listed on the attached Form PTO-1449 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of the form to evidence consideration of the documents.

The Zambaux et al reference is in French and we do not have a copy of the article in English.

Dated: April 26, 2004

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Attorney for Applicant(s)  
Registration No. 26,205  
900 Second Avenue South  
Suite 820  
Minneapolis, MN 55402  
Phone: 612-339-7461

#### CERTIFICATE OF MAILING

I hereby certify that the foregoing Information Disclosure Statement Under Rule 1.56, and a Form PTO-1449 to be filed in connection with application Serial No. 10/763,628 of inventors, Carter R. Anderson et al, filed January 23, 2004, for "ABUSE POTENTIAL REDUCTION IN ABUSABLE SUBSTANCE DOSAGE FORM" is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 26, 2004.



Barbara L. Davis  
Secretary to C. G. Mersereau

Date of Signature: April 26, 2004



(2-92)

Sheet 1 of 1

Form PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)	Document Number 20030304.ORI	Application Number 10/763,628
	Applicant Carter R. Anderson et al	
	Filing Date January 23, 2004	Group Art Unit

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,236,714	08/17/93	Lee et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

	Yerasi et al, AMERICAN JOURNAL HEALTH-SYSTEM PHARM., <i>Disposal of Used Fentanyl Patches</i> , Vol. 54, January 1, 1997, pp. 85-86
	Marquardt et al, THE ANNALS OF PHARM., <i>Fentanyl Remaining in a Transdermal System Following Three Days of Continuous Use</i> , Vol. 29, October 1995, pp. 969-
	Zambaux et al, THE ANNALS OF PHARM., <i>Validation d'une méthode d'inactivation du fentanyl dans les dispositifs usagés de Durogesic</i> , Vol. 58, (2000), pp. 176-179

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.